

Federal Defenders OF NEW YORK, INC.

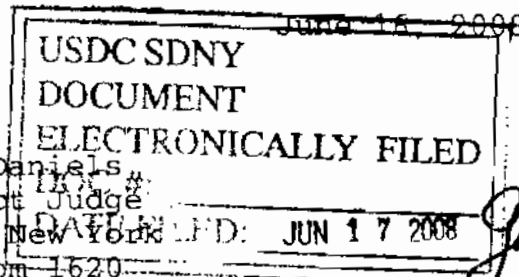
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BY HAND

Honorable George B. Daniels
United States District Judge
Southern District of New York
500 Pearl Street, Room 1620
New York, NY 10007



SO ORDERED

George B. Daniels
HON. GEORGE B. DANIELS

Re: United States v. Richard Espinosa et al.
07 Cr. 501 (GBD)

JUN 17 2008

Dear Judge Daniels:

I write on behalf of my client, Richard Espinosa, to respectfully request that the Court excuse the appearance of Mr. Espinosa at the status conference with the Court scheduled for Wednesday, June 18, 2008 at 10:00 A.M.. The parties are currently engaged in plea discussions and it is anticipated that counsel and the Government will seek a continuance in furtherance of those discussions.

Mr. Espinosa's son will be admitted to Holy Name Hospital, in Teaneck, New Jersey on Wednesday morning for orthopaedic surgery. See Defense Exhibit A, attached. Mr. Espinosa is needed to take him to the hospital and would remain until the surgery is completed.

The Federal Rules of Criminal Procedure, Rule 43(b)(3), provides that a defendant need not be present "when the proceeding involves only a conference or hearing upon a question of law."

Thank you for your consideration of this matter.

Respectfully submitted,
Robert M. Baum
Robert M. Baum
Assistant Federal Defender
Tel.: (212) 417-8760

cc: Michael D. Maimin, Esq.
Assistant United States Attorney